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AMENDMENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: W.D. Grover et al.   Attorney Docket No.: LAMA118219

Application No.: 10/016,272   Art Unit: 2666 / Confirmation No.: 3533

Filed: November 2, 2001   Examiner: P.H. Tran

Title: TOPOLOGICAL DESIGN OF SURVIVABLE MESH-BASED TRANSPORT NETWORKS

RESPONSE TRANSMITTAL LETTER

Seattle, Washington 98101

December 19, 2005

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is a response to an Office Action in the above-identified application. No additional claim fee is required.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: 12/19/2005

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RESPONSE TO OFFICE ACTION

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TO THE COMMISSIONER FOR PATENTS:

This paper is responsive to the Office Action mailed September 19, 2005. In the Office Action, Claims 1-30 were rejected under 35 U.S.C. 102(e) as being anticipated by Yoshida (U.S. Patent No. 6,510,139). Applicants respectfully traverse this rejection and request reconsideration in connection with the remarks provided below.

The disclosure of Yoshida is directed to technology that is quite different from the claimed invention. In Yoshida, after an initial determination of routes, a route optimization procedure occurs. The process is summarized in Yoshida at Col. 4, lines 39-53:

> Subsequently, the network designing section 103 performs a route optimization procedure which optimizes the initially-determined routes so that the total network cost increase is reduced to the minimum value (step S402). As will be describer a network cost increase is minimized by removing each demand from the network and determining a minimum-cost route for the removed demand in the state of the network from which the demand has been removed. Thereafter, if it is determined whether the total network cost increase is minimized and, if it is not minimized, the

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